

be adopted as a general and only system in carrying out the entire execution of sentences of imprisonment, or whether it shall be employed only for a part of the sentence."

Upon this point Sir Joshua Jebb and Sir Walter Crofton, the great rival authorities in England and Ireland (whose opinions upon many other points are at variance), are perfectly agreed. The adoption of "solitary punishment" instead of the present utterly illusory sentence of "hard labour," would now be possible in many of our gaols in Canada. Until very lately indeed it would not have been possible in any. Four years ago, when the present Board entered upon its duties, there was not in the entire province, from Gaspé to Amherstburgh, a single gaol where it would have been practicable to enforce "solitary confinement." Now, however, there are ample means of enforcing this complete separation, not only in all the new gaols (about one-fourth of the whole), but also in a great number of the old gaols—in all those, in fact, in which alterations and additions have been made in accordance with the requirements of the law and the suggestions of the Board.\*

To have earlier attempted the change now proposed would, therefore, have been premature, but it is submitted that there is no valid reason why the change should not now be made. It is, indeed, true that there are still some few gaols in both Upper and Lower Canada in which, from their defective construction, it would be impossible to carry out strictly the principle of "solitary confinement." But there does not appear to be any sufficient reason for not introducing the change of system in those gaols where "solitary confinement" could be really enforced. At the worst, even if "solitary confinement" were substituted at once in all our prisons in place of "hard labour," we should be much better off than at present, for the latter sentence cannot be enforced in one single gaol in Canada, whereas the former could be from the first enforced in a very large number of them. There would be this benefit, more

\*In all the gaols above referred to, there is a certain proportion of the cells, generally about one-third of the whole number, termed "night and day" cells, which were intended by the Board to be used for separate confinement. These cells are as large as those now used in England for the same purpose, 9 feet long by 6 feet wide. See question 1002 in report of select committee of the House of Lords on prison discipline, for 1862.